

Innovative Wireless Solutions, LLC

555 Republic Drive, Suite 200 • Plano, Texas 75074

April 10, 2013

VIA CERTIFIED MAIL

[REDACTED]
[REDACTED]
CERTIFIED MAIL
TRACKING NUMBER

Re: Infringement of Innovative Wireless Solutions, LLC's U.S. Patent Nos. 5,912,895, 6,327,264 and 6,587,473

Dear Sir or Madam:

I am writing on behalf of Innovative Wireless Solutions, LLC ("IWS"). IWS is the assignee of all right, title, and interest in U.S. Patent Nos. 5,912,895 (the "895 Patent"), 6,327,264 (the "264 Patent"), 6,587,473 (the "473 Patent") (collectively "the IWS Patents"). The IWS Patents generally relate to a wireless access point ("WAP") that connects to an Ethernet network.

IWS has learned that [REDACTED] ("your company") is infringing one or more claims of each of the IWS Patents by making, using, offering to sell, and selling the use of an IEEE 802.11 wireless network (commonly referred to as a "WiFi network") that includes a wireless access point connected to an Ethernet network (collectively "wireless Internet access" and/or "the infringing services and products").

For example, your company is infringing at least claim 40 of the '473 Patent by performing each of the steps of that claim in at least the following manner:

- a) The WAP in your WiFi network provides communication between a CSMA/CD network (an Ethernet network) and a bidirectional communications path (an 802.11 wireless network).
- b) The WAP includes an Ethernet interface that contains an Ethernet modem that receives information packets from an Ethernet network.
- c) The WAP transmits the information packets over the 802.11 wireless path in a direction towards a mobile station.
- d) The WAP includes a controller that implements the medium access control ("MAC") protocol as defined in IEEE 802.11. In accordance with the MAC protocol, the controller provides information that controls when wireless devices connected to the network are allowed to transmit, thereby causing the communications over the wireless network to occur in a half-duplex manner.
- e) The WAP receives information corresponding to information packets from the 802.11 wireless path at the Ethernet modem and transmits those information packets over the Ethernet network.

Similarly, your company is infringing at least claim 5 of the '264 Patent by operating a WAP that includes all claimed elements in at least the following manner:

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- a) The WAP in your WiFi network allows wireless devices to connect to a network.
- b) The WAP includes an Ethernet interface for coupling to an Ethernet network. Ethernet is a CSMA/CD technology.
- c) The WAP includes an 802.11 interface for coupling to the 802.11 wireless network which provides a wireless bidirectional communications path.
- d) The WAP includes a controller that implements the medium access control ("MAC") protocol as defined in IEEE 802.11. In accordance with the MAC protocol, the controller provides information that controls when wireless devices connected to the network are allowed to transmit, thereby causing the communications over the wireless network to occur in a half-duplex manner.
- e) The WAP includes a first buffer that holds frames received from the Ethernet network via the Ethernet interface and then supplies those frames via the 802.11 interface to the wireless network.
- f) The WAP includes a second buffer that holds frames received from the wireless network via the 802.11 interface and then supplies those frames via the Ethernet interface to the Ethernet network.

Furthermore, your company is infringing at least claim 48 of the '895 Patent by making a wireless network that includes all claimed elements in at least the following manner:

- a) The WAP in your WiFi network provides communication with a CSMA/CD network (an Ethernet network) via a bidirectional communications path (an 802.11 wireless path).
- b) The WAP is located at a first end of the 802.11 wireless path and includes an Ethernet interface to an Ethernet network. Ethernet is a CSMA/CD technology. The WAP includes a buffer for buffering information packets received from the Ethernet network via the Ethernet interface for supply to the 802.11 wireless path. The WAP also includes a buffer for buffering information packets received from the 802.11 wireless path for supply to the Ethernet network via the Ethernet interface. The WAP also includes a controller that implements the medium access control ("MAC") protocol as defined in IEEE 802.11.
- c) A wireless station is connected at a second end of the 802.11 wireless path. The wireless station includes a buffer for buffering information packets received from the 802.11 wireless path, a buffer for buffering information packets to be supplied to the 802.11 wireless path, and a MAC controller.
- d) The MAC controller in the WAP and the MAC controller in the wireless station are arranged to exchange control information over the 802.11 wireless path so as to allow information packets to be communicated bi-directionally over the 802.11 wireless path between the buffers of the WAP and the wireless station in a half-duplex manner.

In addition to directly infringing the IWS Patents, your company is also inducing others to infringe the IWS Patents by offering wireless Internet access, advertising that wireless Internet access, and encouraging others to use that wireless Internet access. These other entities include your company's guests, customers, and end users, whose connection of their wireless devices to your network and use of the wireless Internet access constitutes direct infringement of the IWS Patents.

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Additionally, your company's provision of wireless Internet access to these guests, customers, and end users contributes to infringement of the IWS Patents by those entities because your wireless network constitutes a material part of the invention, was especially made or especially adapted for use in an infringement of the IWS Patents, and has no substantial non-infringing uses. In particular, your wireless network constitutes a material part of the claimed invention at least because it contains the components that interface your wireless network to an Ethernet network and provide control information to the wireless devices as claimed in the IWS Patents. Your wireless network was made or especially adapted for use in an infringement of the IWS Patents and has no substantial non-infringing uses at least because it contains components whose only purpose is to interface your wireless network to an Ethernet network and to provide control information to the wireless devices as claimed in the IWS Patents.

As a result of your company's infringement of the IWS Patents, IWS has suffered damages and will continue to suffer damages in the future. Accordingly, please contact IWS's attorney, Catherine Kirkland, as soon as possible to discuss an appropriate resolution of your company's past and ongoing infringement of the IWS Patents. Ms. Kirkland may be reached as follows:

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Email: ckirkland@farneydaniels.com
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Thank you in advance for your attention to this important matter.

Very truly yours,

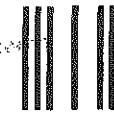
Innovative Wireless Solutions, LLC



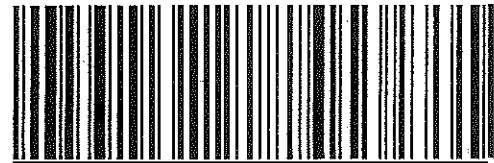
Paul Heath

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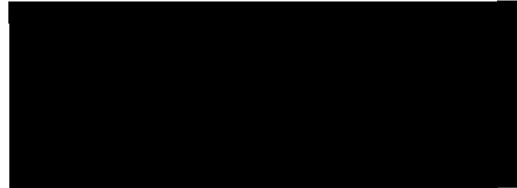
Case 1:13-cv-00492-LV Document 1-3 Filed 06/12/13 Page 4 of 15



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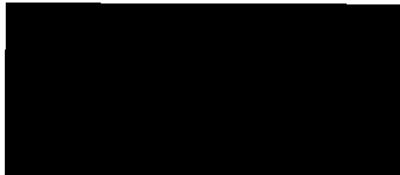


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For example, your company is infringing at least claim 40 of the '473 Patent by performing each of the steps of that claim in at least the following manner:

- a) The WAP in your WiFi network provides communication between a CSMA/CD network (an Ethernet network) and a bidirectional communications path (an 802.11 wireless network).
- b) The WAP includes an Ethernet interface that contains an Ethernet modem that receives information packets from an Ethernet network.
- c) The WAP transmits the information packets over the 802.11 wireless path in a direction towards a mobile station.
- d) The WAP includes a controller that implements the medium access control ("MAC") protocol as defined in IEEE 802.11. In accordance with the MAC protocol, the controller provides information that controls when wireless devices connected to the network are allowed to transmit, thereby causing the communications over the wireless network to occur in a half-duplex manner.
- e) The WAP receives information corresponding to information packets from the 802.11 wireless path at the Ethernet modem and transmits those information packets over the Ethernet network.

Similarly, your company is infringing at least claim 5 of the '264 Patent by operating a WAP that includes all claimed elements in at least the following manner:

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- a) The WAP in your WiFi network allows wireless devices to connect to a network.
- b) The WAP includes an Ethernet interface for coupling to an Ethernet network. Ethernet is a CSMA/CD technology.
- c) The WAP includes an 802.11 interface for coupling to the 802.11 wireless network which provides a wireless bidirectional communications path.
- d) The WAP includes a controller that implements the medium access control (“MAC”) protocol as defined in IEEE 802.11. In accordance with the MAC protocol, the controller provides information that controls when wireless devices connected to the network are allowed to transmit, thereby causing the communications over the wireless network to occur in a half-duplex manner.
- e) The WAP includes a first buffer that holds frames received from the Ethernet network via the Ethernet interface and then supplies those frames via the 802.11 interface to the wireless network.
- f) The WAP includes a second buffer that holds frames received from the wireless network via the 802.11 interface and then supplies those frames via the Ethernet interface to the Ethernet network.

Furthermore, your company is infringing at least claim 48 of the ‘895 Patent by making a wireless network that includes all claimed elements in at least the following manner:

- a) The WAP in your WiFi network provides communication with a CSMA/CD network (an Ethernet network) via a bidirectional communications path (an 802.11 wireless path).
- b) The WAP is located at a first end of the 802.11 wireless path and includes an Ethernet interface to an Ethernet network. Ethernet is a CSMA/CD technology. The WAP includes a buffer for buffering information packets received from the Ethernet network via the Ethernet interface for supply to the 802.11 wireless path. The WAP also includes a buffer for buffering information packets received from the 802.11 wireless path for supply to the Ethernet network via the Ethernet interface. The WAP also includes a controller that implements the medium access control (“MAC”) protocol as defined in IEEE 802.11.
- c) A wireless station is connected at a second end of the 802.11 wireless path. The wireless station includes a buffer for buffering information packets received from the 802.11 wireless path, a buffer for buffering information packets to be supplied to the 802.11 wireless path, and a MAC controller.
- d) The MAC controller in the WAP and the MAC controller in the wireless station are arranged to exchange control information over the 802.11 wireless path so as to allow information packets to be communicated bi-directionally over the 802.11 wireless path between the buffers of the WAP and the wireless station in a half-duplex manner.

In addition to directly infringing the IWS Patents, your company is also inducing others to infringe the IWS Patents by offering wireless Internet access, advertising that wireless Internet access, and encouraging others to use that wireless Internet access. These other entities include your company’s guests, customers, and end users, whose connection of their wireless devices to your network and use of the wireless Internet access constitutes direct infringement of the IWS Patents.

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Very truly yours,

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A handwritten signature in black ink, appearing to read "P. Heath".

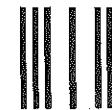
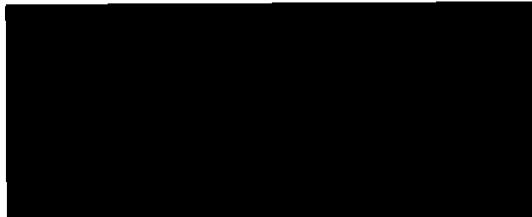
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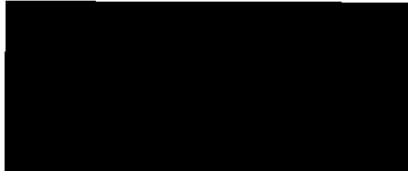


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For example, your company is infringing at least claim 40 of the '473 Patent by performing each of the steps of that claim in at least the following manner:

- a) The WAP in your WiFi network provides communication between a CSMA/CD network (an Ethernet network) and a bidirectional communications path (an 802.11 wireless network).
- b) The WAP includes an Ethernet interface that contains an Ethernet modem that receives information packets from an Ethernet network.
- c) The WAP transmits the information packets over the 802.11 wireless path in a direction towards a mobile station.
- d) The WAP includes a controller that implements the medium access control ("MAC") protocol as defined in IEEE 802.11. In accordance with the MAC protocol, the controller provides information that controls when wireless devices connected to the network are allowed to transmit, thereby causing the communications over the wireless network to occur in a half-duplex manner.
- e) The WAP receives information corresponding to information packets from the 802.11 wireless path at the Ethernet modem and transmits those information packets over the Ethernet network.

Similarly, your company is infringing at least claim 5 of the '264 Patent by operating a WAP that includes all claimed elements in at least the following manner:

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Page 2

- a) The WAP in your WiFi network allows wireless devices to connect to a network.
- b) The WAP includes an Ethernet interface for coupling to an Ethernet network. Ethernet is a CSMA/CD technology.
- c) The WAP includes an 802.11 interface for coupling to the 802.11 wireless network which provides a wireless bidirectional communications path.
- d) The WAP includes a controller that implements the medium access control (“MAC”) protocol as defined in IEEE 802.11. In accordance with the MAC protocol, the controller provides information that controls when wireless devices connected to the network are allowed to transmit, thereby causing the communications over the wireless network to occur in a half-duplex manner.
- e) The WAP includes a first buffer that holds frames received from the Ethernet network via the Ethernet interface and then supplies those frames via the 802.11 interface to the wireless network.
- f) The WAP includes a second buffer that holds frames received from the wireless network via the 802.11 interface and then supplies those frames via the Ethernet interface to the Ethernet network.

Furthermore, your company is infringing at least claim 48 of the ‘895 Patent by making a wireless network that includes all claimed elements in at least the following manner:

- a) The WAP in your WiFi network provides communication with a CSMA/CD network (an Ethernet network) via a bidirectional communications path (an 802.11 wireless path).
- b) The WAP is located at a first end of the 802.11 wireless path and includes an Ethernet interface to an Ethernet network. Ethernet is a CSMA/CD technology. The WAP includes a buffer for buffering information packets received from the Ethernet network via the Ethernet interface for supply to the 802.11 wireless path. The WAP also includes a buffer for buffering information packets received from the 802.11 wireless path for supply to the Ethernet network via the Ethernet interface. The WAP also includes a controller that implements the medium access control (“MAC”) protocol as defined in IEEE 802.11.
- c) A wireless station is connected at a second end of the 802.11 wireless path. The wireless station includes a buffer for buffering information packets received from the 802.11 wireless path, a buffer for buffering information packets to be supplied to the 802.11 wireless path, and a MAC controller.
- d) The MAC controller in the WAP and the MAC controller in the wireless station are arranged to exchange control information over the 802.11 wireless path so as to allow information packets to be communicated bi-directionally over the 802.11 wireless path between the buffers of the WAP and the wireless station in a half-duplex manner.

In addition to directly infringing the IWS Patents, your company is also inducing others to infringe the IWS Patents by offering wireless Internet access, advertising that wireless Internet access, and encouraging others to use that wireless Internet access. These other entities include your company’s guests, customers, and end users, whose connection of their wireless devices to your network and use of the wireless Internet access constitutes direct infringement of the IWS Patents.

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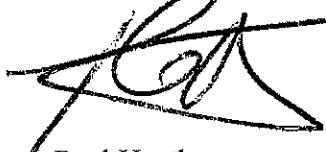
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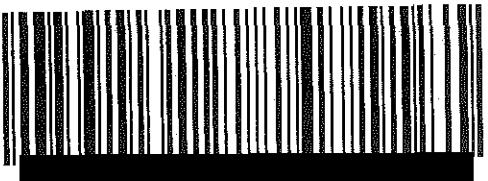
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Similarly, your company is infringing at least claim 5 of the ‘264 Patent by operating a WAP that includes all claimed elements in at least the following manner:

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A handwritten signature in black ink, appearing to read "PH".

Paul Heath